

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

_____)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil No.
)	
S.D. WARREN COMPANY,)	
d/b/a SAPPI FINE PAPER)	
NORTH AMERICA,)	
)	
Defendant.)	
_____)	

COMPLAINT

The United States of America, by the authority of the Attorney General of the United States, through the undersigned attorneys, and at the request of the United States Environmental Protection Agency (EPA), alleges as follows:

NATURE OF ACTION

1. This is a civil action under Section 113(b) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(b), for injunctive relief and civil penalties against defendant S.D. Warren Company, d/b/a SAPPI Fine Paper North America (SAPPI) for violations of the CAA, and the regulations promulgated pursuant thereto, specifically the New Source Performance Standard (NSPS) for Kraft Pulp Mills at 40 C.F.R. Part 60, Subpart BB, and the Prevention of Significant Deterioration (PSD) regulations at 40 C.F.R. § 52.21 relating to the emissions of sulfur dioxide (SO₂), nitrogen oxide (NO_x), carbon monoxide (CO), and particulate

matter (PM) at SAPPI's kraft pulp mill in Muskegon, Michigan.

JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331, 1345, and 1355, and Section 113(b) of the CAA, 42 U.S.C. § 7413(b), and over the Parties.

3. Venue lies in this District pursuant to Section 113(b), 42 U.S.C. § 7413(b), and 28 U.S.C. §§ 1391(b) and (c) and 1395(a), because some of the violations alleged in the Complaint are alleged to have occurred in, and Defendant conducts business in, this judicial district.

NOTICE TO STATE

4. Notice of the commencement of this action has been given to the State of Michigan, as required by Section 113 of the CAA, 42 U.S.C. § 113(b).

DEFENDANT

5. Defendant SAAPI is a Pennsylvania corporation, which is qualified to do business in the State of Michigan. SAAPI owns and operates a kraft pulp mill located at 2400 Lakeshore Drive, Muskegon, Michigan (the Muskegon Mill).

6. At the Muskegon Mill, SAPPI produces pulp through a Kraft process. Prior to August 2005, the Muskegon Mill's kraft pulping process utilized a recovery furnace. The Muskegon Mill is a "major stationary source" and a "major emitting facility" as defined in Section 302(j) of the CAA, 42 U.S.C. § 7602(j).

7. Defendant is a "person" within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

STATUTORY AND REGULATORY SCHEME

8. The CAA established a regulatory scheme designed to protect and enhance the quality of the nation's air so as to promote the public health and welfare and the productive capacity of its population. Section 101(b)(1) of the CAA, 42 U.S.C. § 7401(b)(1).

New Source Performance Standards

9. Section 111 of the CAA, 42 U.S.C. § 7411, requires EPA to promulgate standards of performance for certain categories of new air pollution sources (New Source Performance Standards or NSPS). Pursuant to Section 111(b), 42 U.S.C. § 7411(b), EPA promulgated general regulations applicable to all NSPS source categories. Those general regulations are set forth at 40 C.F.R. Part 60, Subpart A.

10. On February 23, 1978, in accordance with Section 111(b) of the CAA, EPA promulgated the NSPS for Kraft Pulp Mills, which is codified at 40 C.F.R. Part 60, Subpart BB, §§ 60.280 - 60.285 (43 Fed. Reg. 7568). The EPA promulgated revisions to these regulations on May 20, 1986, at 40 C.F.R. §§ 60.280 - 60.285 (51 Fed. Reg. 18544-18545).

11. Section 111(a)(2) of the CAA, 42 U.S.C. § 7411(a)(2), defines the term "new source" as any stationary source, the construction or modification of which is commenced after the

publication of regulations prescribing a standard of performance applicable to such source.

12. Section 111(e) of the CAA, 42 U.S.C. § 7411(e), provides that, after the effective date of an NSPS requirement, it is unlawful for any owner or operator of any new source to operate such source in violation of that NSPS requirement.

13. 40 C.F.R. § 60.15(b) defines "reconstruction," as "the replacement of components of an existing facility to such an extent that: (1) [t]he fixed capital cost of the new components exceed 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and (2) [i]t is technologically and economically feasible to meet the applicable standards in this part."

14. 40 C.F.R. § 60.15(a) states that upon reconstruction, an existing facility becomes a new source or affected facility irrespective of any change in the emission rate.

15. 40 C.F.R. § 60.2 defines an "existing facility" as any apparatus of the type for which a standard is promulgated and the construction or modification of which was commenced before the date of the proposal of that standard.

16. 40 C.F.R. § 60.281(a) defines a "kraft pulp mill" as any stationary source which produces pulp from wood by cooking (digesting) wood chips in water solution of sodium hydroxide and sodium sulfide (white liquor) at high temperature and pressure. Regeneration of the cooking chemicals through a recovery process

is also considered part of the kraft pulp mill.

17. 40 C.F.R. Part 60, Subpart BB (NSPS Subpart BB), applies to digester systems, brown stock washer systems, multiple-effect evaporator systems, recovery furnaces, smelt dissolving tanks, lime kilns, and condensate stripper systems at kraft pulp mills.

Prevention of Significant Deterioration

18. Section 109 of the CAA, 42 U.S.C. § 7409, requires the Administrator of EPA to promulgate regulations establishing primary and secondary national ambient air quality standards. (NAAQS or ambient air quality standards) for certain criteria air pollutants. The CAA requires that primary NAAQS be adequate to protect the public health, and that secondary NAAQS be adequate to protect the public welfare, from any known or anticipated adverse effects associated with the presence of the air pollutant in the ambient air.

19. Section 110 of the CAA, 42 U.S.C. § 7410, requires each state to adopt and submit to EPA for approval a State Implementation Plan (SIP) that provides for the attainment and maintenance of the NAAQS.

20. Under Section 107(d) of the CAA, 42 U.S.C. § 7407(d), each state is required to designate those areas within its boundaries where the air quality is better or worse than the NAAQS for each criteria pollutant or where the air quality cannot be classified due to insufficient data. These designations have

been approved by EPA and are located at 40 C.F.R. Part 81. An area that meets the NAAQS for a particular pollutant is classified as an "attainment" area for that pollutant; one that does not is classified as a "non-attainment" area.

21. Part C of Title I of the CAA, 42 U.S.C. §§ 7470-7492, sets forth requirements for the prevention of significant deterioration of air quality in those areas designated as attaining the NAAQS standards. These requirements are designed to protect public health and welfare, to assure that economic growth will occur in a manner consistent with the preservation of existing clean air resources, and to assure that any decision to permit increased air pollution is made only after careful evaluation of all the consequences of such a decision and after public participation in the decision-making process.

22. Section 165(a) of the CAA, 42 U.S.C. § 7475(a), prohibits the construction and subsequent operation of a major emitting facility in an area designated as attainment unless a PSD permit has been issued and any air pollution controls required by the permit have been installed and are in operation. Section 169(1) of the CAA, 42 U.S.C. § 7479(1), defines "major emitting facility" for certain listed stationary sources, such as chemical manufacturing plants, as a source with the potential to emit 100 tons per year (TPY) or more of any criteria air pollutant. The list of designated source categories at 40 C.F.R. § 52.21(b)(1)(i)(a) includes kraft pulp mills.

23. On August 7, 1980, the Administrator of the EPA promulgated regulations to prevent the significant deterioration of air quality (PSD regulations) pursuant to Part C of the CAA (45 Fed. Reg. 27561). The PSD regulations are codified at 40 C.F.R. § 52.21.

24. As set forth at 40 C.F.R. § 52.21(k), the PSD regulations generally require a person who wishes to construct or modify a major emitting facility in an attainment area to demonstrate, before construction commences, that the proposed construction or modification will not cause or contribute to air pollution in violation of any ambient air quality standard or any specified incremental increase.

25. As set forth at 40 C.F.R. § 52.21(i), any major emitting source in an attainment area that intends to construct a major modification must first obtain a PSD permit and install and operate best available control technology (BACT) for the control of air pollutants. "Major modification" is defined at 40 C.F.R. § 52.21(b)(2)(i) as any physical change in or change in the method of operation of a major stationary source that would result in a significant net emission increase of any criteria pollutant subject to regulation under the CAA. "Significant" is defined at 40 C.F.R. § 52.21(b)(23)(i) in reference to a net increase or the potential of a source to emit any of the following criteria pollutants, at a rate of emissions that would equal or exceed any of the following: for ozone, 40 TPY of

volatile organic compounds (VOCs); 40 TPY for SO₂; for CO, 100 TPY; for NO_x, 40 TPY; and for PM, 25 TPY.

26. As set forth at 40 C.F.R. § 52.21(j), a new major stationary source or a major modification in an attainment area must install and operate BACT for each pollutant subject to regulation under the CAA that the source would have the potential to emit in significant quantities.

27. Section 161 of the CAA, 42 U.S.C. § 7471, requires that SIPs contain emission limitations and such other measures as may be necessary, as determined under regulations promulgated by EPA pursuant to these provisions, to prevent significant deterioration of air quality in attainment areas.

28. A state may comply with Section 161 of the CAA either by being delegated by EPA the authority to enforce the federal PSD regulations set forth at 40 C.F.R. § 52.21, or by having its own PSD regulations, which must be at least as stringent as those set forth at 40 C.F.R. § 52.738 and must be approved by EPA as part of the SIP.

29. The State of Michigan has not promulgated its own PSD regulations and, therefore, has not satisfied the requirements of Sections 160-165 of the CAA in its SIP. The PSD regulations at 40 C.F.R. § 52.21(b)-(w) are therefore incorporated, and made a part of, the applicable SIP for the State of Michigan at 40 C.F.R. § 52.1180(b).

Title V Regulations

30. Section 502 of the CAA, 42 U.S.C. § 7661a, requires the EPA Administrator to promulgate regulations establishing minimum elements of a permit program. These regulations, commonly called the "Title V regulations" were promulgated in 1992 at 40 C.F.R. Part 70, Sections 70.1 through 70.11. See 57 Fed. Reg. 32295 (July 21, 1992). 40 C.F.R. § 70.3 provides that the Title V regulations are applicable to any major source and/or any source subject to a standard or other requirement under Section 111 of the CAA.

31. Section 502 of the CAA, 42 U.S.C. § 7661a, further provides that it shall be unlawful for any person to operate a major source, or any source subject to standards or regulations under Section 7411 of the CAA, except in compliance with a permit issued pursuant to the Title V regulations.

CAA Enforcement Provisions

32. CAA Section 113(b), 42 U.S.C. § 7413(b), authorizes the United States to commence a civil action for a permanent or temporary injunction, and/or for a civil penalty, whenever any person has violated: (i) any requirement or prohibition of any applicable SIP or permit; or (ii) any other requirement or prohibition under a pertinent provision of the CAA, including, but not limited to, any NSPS requirement.

33. CAA Section 167, 42 U.S.C. § 7477, authorizes the United States to initiate an action for injunctive relief, as

necessary to prevent the construction, modification, or operation of a major emitting facility which does not conform to PSD requirements.

34. As provided by CAA Section 113(b), 42 U.S.C. § 7413(b), the Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by 31 U.S.C. § 3701, and EPA regulations codified at 40 C.F.R. Part 19, any person who violates pertinent requirements of the CAA shall be liable for a civil penalty of up to: (i) \$25,000 per day for each such violation occurring on or before January 30, 1997; (ii) \$27,500 per day for each violation occurring between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

GENERAL ALLEGATIONS

New Source Performance Standards

35. SAPPI is the "owner or operator" of the Muskegon Mill and the recovery furnace within the meaning of 40 C.F.R. § 60.2 because at all times relevant to this Complaint, SAAPPI leased, operated, controlled, or supervised that facility.

36. The Muskegon Mill is a "kraft pulp mill" as defined at 40 C.F.R. § 60.281(a).

37. The recovery furnace was constructed in 1962 and was originally an "existing facility" as defined by 40 C.F.R. § 60.2.

38. Between at least 1982 and 2001, SAPPI performed a series of multiple-phase life extension projects on its recovery

furnace to extend the useful life of the recovery furnace.

39. By early 1994, the fixed capital costs of the new components installed under the life extension projects exceeded 50% of what it would cost to build a comparable entirely new recovery furnace.

40. By early 1994, the life extension projects performed by SAPPI triggered the NSPS "reconstruction" provision at 40 C.F.R. § 60.15, subjecting the recovery boiler to the requirements of NSPS Subpart BB at 40 C.F.R. §§ 60.280 - 60.285.

41. The recovery furnace is an "affected facility" as that term is defined at 40 C.F.R. § 60.2, 40 C.F.R. § 60.15(a), and 40 C.F.R. § 60.282(h) and is subject to the provisions of NSPS Subpart BB.

Prevention of Significant Deterioration

42. The Muskegon Mill is located in an area that is classified as attainment for all criteria pollutants.

43. The Muskegon Mill is a major stationary source as defined at 40 C.F.R. § 52.21(b)(1) because it is a kraft pulp mill, one of the 28 industrial source categories listed under 40 C.F.R. § 52.21, and has a potential to emit more than 100 tons per year of PM, SO₂, NO_x, and CO.

44. Between at least 1991 and 1994, SAPPI made "major modifications," as defined at 40 C.F.R. § 52.21(b)(2), to the Muskegon Mill's recovery furnace to increase its capacity for firing black liquor. The modifications included, but are not

limited to: replacing the furnace walls, furnace bottom, super heater, economizer, generating bank, and drum, and adding new soot blowers, port rodders and instrumentation.

45. The modifications to the recovery furnace resulted in significant net emission increases, as defined at 40 C.F.R. § 52.21(b)(3), of PM, SO₂, CO and NO_x.

The Muskegon Mill Recovery Furnace Shutdown

46. SAPPI deactivated, "mothballed," and ceased operation of the Muskegon Mill recovery furnace on or about August 19, 2005.

FIRST CLAIM FOR RELIEF
NSPS RECONSTRUCTION - FAILURE TO NOTIFY

47. Paragraphs 1 through 46 are hereby incorporated by reference.

48. 40 C.F.R. § 60.7 requires that any owner or operator subject to the provisions of Part 60 provide written notification of the date of construction, the date of start up, and the date of any physical or operational change to a NSPS affected facility.

49. Under 40 C.F.R. § 60.15(d), the owner or operator of an existing facility who proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, shall notify the Administrator of the proposed replacements.

50. SAPPI failed to notify EPA of the life extension

projects which resulted in reconstruction of the Muskegon Mill recovery furnace, in violation of 40 C.F.R. §§ 60.7 and 60.15(d), and Section 111 of the CAA, 42 U.S.C. § 7411.

51. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

52. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

SECOND CLAIM FOR RELIEF
NSPS PERFORMANCE TESTING

53. Paragraphs 1 through 52 are hereby incorporated by reference.

54. 40 C.F.R. § 60.8 provides that, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but no later than 180 days after the initial startup of such facility, the owner or operator of such facility must conduct a performance test and furnish the administrator a written report of the results of such performance test.

55. SAPPI's reconstruction of its Muskegon Mill recovery

furnace was completed in early 1994 and, therefore, SAPPI was required to conduct a performance test by no later than June 1994.

56. SAPPI failed to conduct a performance test until August 10-11, 2004 in violation of the requirements of 40 C.F.R. § 60.8 and, Section 111 of the CAA, 42 U.S.C. § 7411.

57. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

58. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

THIRD CLAIM FOR RELIEF
NSPS TOTAL REDUCED SULFUR EMISSIONS VIOLATIONS

59. Paragraphs 1 through 58 are hereby incorporated by reference.

60. 40 C.F.R. § 60.283(a)(2) provides that no owner or operator subject to the provisions of NSPS Subpart BB shall cause to be discharged into the atmosphere from any straight kraft recovery furnace any gases which contain total reduced sulfur (TRS) in excess of 5 ppm by volume on a dry basis, corrected to

8 percent oxygen.

61. During the August 10-11, 2004 performance test on the Muskegon Mill's recovery furnace, TRS emissions were measured at 24.66 ppm.

62. The emission levels of TRS from the recovery furnace exceeded the limits in 40 C.F.R. § 60.283(a)(2) and, therefore, violated Section 111 of the CAA, 42 U.S.C. § 7411.

63. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

64. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

FOURTH CLAIM FOR RELIEF
NSPS MONITORING VIOLATIONS

65. Paragraphs 1 through 64 are hereby incorporated by reference.

66. 40 C.F.R. § 60.284(a) provides that any owner or operator subject to the provisions of NSPS Subpart BB shall install, calibrate, maintain, and operate the following continuous monitoring systems (CEMs): (i) a CEM to monitor and

record the opacity of gases discharged into the atmosphere from the recovery furnace; and (ii) a CEM to monitor and record the concentration of TRS emissions on a dry basis and the percent of oxygen by volume on a dry basis, in the gases discharged into the atmosphere from a recovery furnace.

67. 40 C.F.R. § 60.284(c)(1) provides that any owner or operator subject to NSPS Subpart BB shall calculate and record on a daily basis, 12-hour average TRS concentrations for the two consecutive periods of each operating day for the recovery furnace. Each 12-hour average shall be determined as the arithmetic mean of the appropriate 12 continuous 1-hour average TRS concentrations provided by each CEM installed under 40 C.F.R. § 60.284(a)(2).

68. 40 C.F.R. § 60.284(c)(2) provides that any owner or operator subject to NSPS Subpart BB shall calculate and record on a daily basis 12-hour average oxygen concentrations for the two consecutive periods of each operating day for the recovery furnace. These 12-hour averages shall correspond to the 12-hour average TRS concentrations under 40 C.F.R. § 60.284(c)(1) and shall be determined as an arithmetic mean of the appropriate 12 continuous 1-hour average oxygen concentrations provided by each continuous monitoring system installed under 40 C.F.R. § 60.284(a)(2).

69. 40 C.F.R. § 60.284(d)(1) provides that for the purpose of reports required under § 60.7(c), any owner or operator

subject to NSPS Subpart BB shall report semi-annually periods of excess emissions from any recovery furnace.

70. SAPPI failed to install, calibrate, maintain, and operate required CEMs on the Muskegon Mill recovery furnace in violation of the requirements of NSPS Subpart BB at 40 C.F.R. § 60.284, and in violation of 42 U.S.C. § 7411.

71. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

72. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

FIFTH CLAIM FOR RELIEF
PREVENTION OF SIGNIFICANT DETERIORATION VIOLATIONS

73. Paragraphs 1 through 72 are hereby incorporated by reference.

74. Between at least 1991 and 1994, SAAPI made "major modifications" as that term is defined at 40 C.F.R. § 52.21 to the Muskegon Mill recovery furnace.

75. The major modifications to the Muskegon Mill resulted in significant net emission increases of PM, SO₂, CO, and NO_x.

76. Since making modifications to the Muskegon Mill recovery furnace, SAPPI has been in violation of Section 165(a) of the CAA, 42 U.S.C. § 7475(a), and 40 C.F.R. § 52.21, and the corresponding SIP, by failing to undergo PSD review, by failing to obtain all appropriate permits, and by failing to install and operate BACT for the control of PM, SO₂, CO, and NO_x from the recovery furnace.

77. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

78. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

SIXTH CLAIM FOR RELIEF
TITLE V PERMIT VIOLATIONS

79. Paragraphs 1 through 78 are hereby incorporated by reference.

80. 40 C.F.R. § 70.7(b) of the Title V regulations provides, "no part 70 source may operate . . . except in compliance with a permit issued under a Part 70 program."

81. SAPPI's Title V permit — designated as Renewable

Operating Permit #199700065 (Title V permit), issued on January 14, 2002 – limits TRS emissions from the recovery furnace to 20 ppm TRS by volume.

82. During the August 10-11, 2004 stack test, TRS emissions from the Muskegon Mills recovery furnace were measured at 24.66 ppm, in excess of the Title V permit limit of 20 ppm, and therefore, in violation of Section 501 of the CAA, 42 U.S.C. § 7661a, and the Title V regulations.

83. Unless restrained by an Order of the Court, SAPPI's violations of the CAA, as set forth in this Claim for Relief, are likely to continue if SAPPI reactivates the Muskegon Mill recovery furnace.

84. SAPPI's violations of the CAA, as set forth in this Claim for Relief, make SAPPI subject to injunctive relief and civil penalties of up to: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, United States of America, respectfully requests that this Court:

1. Enjoin the Defendant from further violations of the Clean Air Act, NSPS Subpart BB, the PSD regulations, the Title V regulations, and SAPPI's Title V permit;

2. Assess civil penalties against Defendant of not more than: (i) \$25,000 per day for each violation on or before January 30, 1997; (ii) \$27,500 per day for each violation between January 30, 1997 and March 15, 2004; and (iii) \$32,500 per day for each violation occurring after March 15, 2004; and

3. Award other such relief as this Court deems just and proper.

Respectfully submitted,

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
Environment and Natural Resources
Division

W. BENJAMIN FISHEROW, Deputy Chief
Environmental Enforcement Section

RANDALL M. STONE, Senior Lawyer
JEFFREY SPECTOR, Trial Attorney
Environmental Enforcement Section
United States Department of Justice
P.O. Box 7611
Washington, D.C. 20044
(202) 514-1308
(202) 616-6584 (FAX)

MARGARET M. CHIARA
United States Attorney

MICHAEL L. SHIPARSKI
Assistant United States Attorney
P.O. Box 208
Grand Rapids, MI 49503
(616) 456-2404
(616) 456-2408 (FAX)

OF COUNSEL

CYNTHIA A. KING
Associate Regional Counsel
U.S. Environmental Protection
Agency
Region 5
77 West Jackson Blvd.
Chicago, IL 60604